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Total Number of Pages in This Submission

Application Number	10/674,553
Filing Date	09/30/2003
First Named Inventor	Erik J. van der Burg
Art Unit	3731
Examiner Name	Glenn K. Dawson
Attorney Docket Number	3791

ENCLOSURES (Check all that apply)		
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Firm Name	BECK & TYSVER, P.L.L.C.		
Signature			
Printed name	Robert C. Beck		
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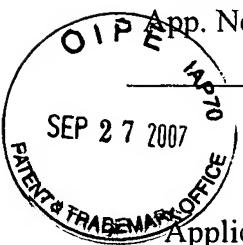
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Typed or printed name	Mary S. Keller	Date	9-25-07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TERMINAL DISCLAIMER UNDER 37 CFR § 1.321

Applicant : van der Burg, et al.
App. No : 10/674,553
Filed : September 30, 2003
For : METHOD AND DEVICE FOR LEFT
ATRIAL APPENDAGE OCCLUSION
Examiner : Glenn K. Dawson
Art Unit : 3731

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Disclaimer by Assignee

Assignee, ev3 Sunnyvale, Inc. ("Assignee"), hereby disclaims, except as provided below, the terminal part of any patent granted on the above-referenced application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,152,144, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the above-identified application and U.S. Patent No. 6,152,144 are co-owned. This agreement extends to any patent granted on the above-referenced application and shall be binding on its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-referenced application prior to the earlier of the expiration date of the full statutory term of U.S. Patent No. 6,152,144, and that of any patent issuing on the above-identified application in the event that either one later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

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Right of Assignee and Ownership

In accordance with 37 C.F.R. § 3.73(b), Assignee represents that it is the owner of 100% percent interest in both the above-identified application and U.S. Patent No. 6,152,144 by virtue of at least one of the assignments recorded at Reel No. 013403, Frame No. 0477 and at Reel No. 010586, Frame No. 0684 by the Assignment Branch of the Patent and Trademark Office. The Assignee represents that, to the best of Assignee's knowledge and belief, title is in the Assignee seeking to take action.

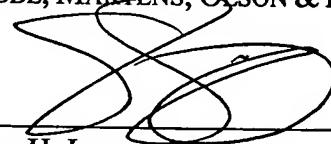
Empowerment of Attorney

Pursuant to 37 C.F.R. 1.321(a) the undersigned attorney of record is empowered to act on behalf of the Assignee, by virtue of a Power of Attorney.

This Terminal Disclaimer is accompanied by the \$130 fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP



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Date: February 23, 2006

2395661/022306



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Erik J. van der Burg et. al	Examiner:	Glenn K. Dawson
Serial No.:	10/674,553	Group Art Unit:	3731
Filing Date:	September 30, 2003	Docket No.:	3791
Title	Method and Device for Left Atrial Appendage Occlusion		

Date of Deposit: 9-25-07

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Kindly contact the undersigned if there is an issue as to whether the Terminal Disclaimer is in proper form or not timely filed.

Respectfully submitted,
ATRTECH, INC.
By his/her attorneys:

Date: 9/25/07

A handwritten signature in black ink, appearing to read "Robert C. Beck".

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